

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

RONALD J. CARTER,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

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No. 1:17-cv-5-SNLJ

**ORDER**

Before the Court is movant's pro se motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. Therein, movant indicates he believes he may be eligible for relief pursuant to the Supreme Court's decision in *Johnson v. United States*, 135 S. Ct. 2551 (2015). The motion will be forwarded to the Office of the Federal Public Defender for review.

On August 14, 2015, this Court entered an Administrative Order styled *In Re: Johnson v. United States*. Pursuant thereto, the Court will forward the instant motion to the Office of the Federal Public Defender for the Southeastern District of Missouri, and provide forty-five (45) days for review of the instant motion and movant's criminal history in order to determine whether movant has a potential argument for a sentence reduction. In order to facilitate this process, the Court has issued a separate Administrative Order, authorizing the Clerk of Court and the United States Probation Office to provide to the Office of the Federal Public Defender and to the Office of the United States Attorney any records in their possession, including sealed records from the Court file regarding the movant's criminal history.

After reviewing the instant motion, the Federal Public Defender's Office should take the action it deems appropriate, including filing a written notice in this action of their intent not to

represent movant, filing an amended motion to vacate pursuant to 28 U.S.C. § 2255 in this action, filing a request in the Court of Appeals for leave to bring a successive § 2255 motion as required by 28 U.S.C. § 2244(b)(3), or other appropriate action. The Federal Public Defender's response is due to the Court no later than forty-five (45) days of the date of this Order.


Accordingly,

**IT IS HEREBY ORDERED** that the Clerk of Court is directed to forward a copy of movant's § 2255 motion to the Office of the Federal Public Defender for the Southeastern District of Missouri.

**IT IS FURTHER ORDERED** that the Federal Public Defender shall, within forty-five (45) days of the date of this Order, respond to the Court as indicated above.

**IT IS FURTHER ORDERED** that the Court shall hold this matter in abeyance for forty-five (45) days.

Dated this 20<sup>th</sup> day of January, 2017.

  
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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE